

AMENDED IN ASSEMBLY JUNE 1, 2009

AMENDED IN ASSEMBLY MAY 6, 2009

AMENDED IN ASSEMBLY APRIL 16, 2009

CALIFORNIA LEGISLATURE—2009–10 REGULAR SESSION

ASSEMBLY BILL

No. 411

Introduced by Assembly Members Garrick and Harkey

February 23, 2009

An act to ~~add Section 130061.3 to the Health and Safety Code,~~
relating to health facilities.

LEGISLATIVE COUNSEL'S DIGEST

AB 411, as amended, Garrick. Health facilities: seismic safety.

Existing law, the Alfred E. Alquist Hospital Facilities Seismic Safety Act of 1983, establishes, under the jurisdiction of the Office of Statewide Health Planning and Development, a program of seismic safety building standards for certain hospitals constructed on and after March 7, 1973. Existing law authorizes the office to assess an application fee for the review of facilities' design and construction, and requires that full and complete plans be submitted to the office for review and approval.

Existing law requires that, after January 1, 2008, any general acute care hospital building that is determined to be a potential risk of collapse or pose significant loss of life be used only for nonacute care hospital purposes, except that the office may grant an extension under prescribed circumstances. Existing law allows certain hospital owners who do not have the financial capacity to bring certain buildings into compliance by 2013 to, instead, replace those buildings by January 1, 2020.

This bill would require a health care district that has been denied an extension of the seismic retrofit and replacement deadlines to make a specified report to the office.

Because this bill would impose additional duties upon local officials, this bill would create a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 ~~SECTION 1. Section 130061.3 is added to the Health and~~
2 ~~Safety Code, to read:~~
3 ~~130061.3. On or before March 1, 2010, a health care district~~
4 ~~SECTION 1. On or before March 1, 2010, a health care district~~
5 established pursuant to Division 23 (commencing with Section
6 32000) that owns or operates a general acute care hospital building
7 and has been denied a request for an extension of the seismic
8 retrofit and replacement deadlines shall report to the office both
9 of the following:
10 (a) The health care district's efforts to comply with the seismic
11 retrofit and replacement deadlines, including, but not limited to,
12 the reassessment of the structural performance level of a general
13 acute care hospital building owned by the health care district.
14 (b) The health care district's efforts to secure passage of a local
15 bond measure to fund seismic safety compliance, including the
16 failure or passage of a ballot measure to approve the issuance of
17 these bonds, the extent to which the number of voters who voted
18 in favor the ballot measure exceeded 50 percent of the votes cast
19 but failed to reach the percentage of votes required for passage
20 and the extent to which the vote requirement is a barrier to the
21 ability of the health care district to obtain necessary revenues to
22 comply with the seismic safety deadlines and standards.

1 SEC. 2. If the Commission on State Mandates determines that
2 this act contains costs mandated by the state, reimbursement to
3 local agencies and school districts for those costs shall be made
4 pursuant to Part 7 (commencing with Section 17500) of Division
5 4 of Title 2 of the Government Code.

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